



MIAMI-DADE COUNTY, FLORIDA

ENVIRONMENTAL QUALITY CONTROL BOARD
33 S. W. 2nd AVENUE
PH 2
MIAMI, FLORIDA 33130-1540
(305) 372-6754

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John W. Renfrow, P.E.

CLERK

Luisa G. Bilbao

PUBLIC NOTICE

ENVIRONMENTAL QUALITY CONTROL BOARD

AGENDA

Date: Thursday, November 4, 2004

Time: 1:30 P. M.

Place: Thomas Center
172 West Flagler Street
DERM Training Room
2nd Floor

THE ENTRANCE TO THIS BUILDING IS LOCATED ON THE EAST SIDE OF S.W. 2nd AVENUE, JUST SOUTH OF FLAGLER STREET

1. **ATLAS-HOMESTEAD, INC.** -- (CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director denying the appellant's request for the extension of the deadlines for Phases II, III, and IV of the closure plan of an existing landfill. The property is located at 11695 S.W. 328th Street, Miami-Dade County, Florida.
2. **CITY OF NORTH MIAMI AND SWERDLOW BOCA DEVELOPERS GROUP, LLC** -- (CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellants are appealing a determination by the Director of DERM, said determination being certain DERM requirements that relate to a proposed stormwater management system that would serve a proposed development located, within the City of North Miami. The aforesaid requirements are contained in a DERM letter dated May 11, 2004 and addressed to Messrs. Clarence Patterson as City Manager for the City of North Miami and Duane Truitt, Swerdlow Boca Developers Group, LLC. The subject property is located at N. E. 151st Street and Biscayne Blvd., North Miami, Florida.
3. **PELTON NURSERIES, INC.** --(CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director, said determination being the issuance of a certain Notice of Violation and Orders to Cease and Desist, concerning work without a permit in jurisdictional

wetlands, on a property located at South of S.W. 280th Street and 107th Avenue, Miami-Dade County, Florida.

4. **VICTORIA R. FRANCO** -- (CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director, said determination being the issuance of a certain Notice of Violation and Orders to Cease and Desist, concerning work without a permit in jurisdictional wetlands, on a property located at South of S.W. 284th Street and 107th Avenue, Miami-Dade County, Florida.
5. **IMA-SUNSET REVOCABLE BUSINESS TRUST, A DELAWARE BUSINESS TRUST** -- (CONTINUANCE) Request for a variance from the requirements of Section 24-12.1(5) of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of a dry cleaners operation on a property located within the basic wellfield protection area for the Alexander Orr wellfield. The proposed operation would use, generate, store, discharge, dispose of, or handle hazardous materials. The property is located at 9995–9999 S.W. 72nd Street, Miami-Dade County, Florida.
6. **FREDERICK ALLEN** -- (CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director, said determination being the issuance of a certain Notice of Violation and Orders to Cease and Desist, concerning the unauthorized installation of a floating vessel platform, on a property located at 805 North Shore Drive, Miami Beach, Florida.
7. **CRICKET CLUB CONDOMINIUM INC.** -- (CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director, said determination being, the denial of a temporary connection to the public sanitary sewer system in order to allow that the on-site sewage treatment plant be rehabilitated. The subject property is located at 1800 N.E. 114th Street, Miami-Dade County, Florida.
8. **PB PARTNERS DEVELOPMENT, LLC.** -- (CONTINUANCE) Request for a variance from the requirements of Section 24-13(3) of the Code of Miami-Dade County, Florida. The request is to allow the subdivision of a parcel of land into three lots, each for a single family residence, which would be served by public water and septic tanks. Public sanitary sewers abut the subject site in the form of an 8-inch gravity main. The property is located at the intersection of S. W. 184th Street and S. W. 83rd Avenue, Palmetto Bay, Florida.
9. **TRIPLE FFF INVESTMENTS, INC.** -- (CONTINUANCE) Request for variances from the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow the rezoning of a property to the IU-1 zoning category, light industrial, and its subsequent use for the storage of containers and heavy machinery. The proposed land use will be served by an on-site drinking water supply well and a septic tank and may The proposed land use may generate, store, use, discharge, dispose of, or handle hazardous materials, and may generate, dispose of, discharge or store liquid waste other than domestic sewage. The property is located at the intersection of N.W. 112th Avenue and N. W. 140th Street, Miami-Dade County, Florida.

10. **CIMENTO TUPI FLORIDA, LLC** -- (CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM, said determination being that a proposed floating structure that would be utilized as a storage and transfer facility for bulk cement at the Port of Miami is not a water dependant use as defined in Section 23-3(107) of the Code of Miami-Dade County. The aforesaid determination is contained in a DERM letter addressed to Mr. Stephen James, Esquire and is dated June 9, 2004. The subject property is located at 1015 N. America Way, Port of Miami, Florida.
11. **LAND QUEST ENTERPRISES, INC.** -- (CONTINUANCE) Request for variances from the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow the construction and operation of an industrial warehouse that would be served by public water and a septic tank. Public sanitary sewers about the site. The property is located at 12801 N. W. 32nd Avenue, Opa-Locka, Florida.
12. **MIRNELLE JOSMA** -- (CONTINUANCE) Request for variances from the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of a medical office that would operate an x-ray machine on a property that is served by public water and a septic tank. The proposed facility would generate, store or discharge liquid waste other than domestic sewage. The property is located at 8855 N.E. 2nd Avenue, Miami-Dade County, Florida.
13. **RINKER MATERIALS CORPORATION** -- (CONTINUANCE) Request for variances from the requirements of Section 24-12.1 of the Code of Miami-Dade County, Florida. The request is to allow the maintenance and continued use of a contractor's yard that includes the operation of a mechanical repair shop. The existing land use uses generates stores discharges disposes of, or handles hazardous wastes. The subject property is located within the average day pumpage wellfield protection area of the Miami Springs Upper, Miami Springs Lower, Hialeah and John E. Preston wellfield complex; and is situated at 750 N. W. 72nd Avenue Medley, Florida.
14. **HUMDOL, INC.** -- (CONTINUANCE) Request for variances from the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of an automobile body shop on the subject property, which is served by public water and a septic tank as means for the disposal of domestic liquid waste. The proposed land use may generate, dispose of, discharge or store liquid waste other than domestic sewage. The subject property is located at 3601 N. W. 81st Street, Miami-Dade County, Florida.
15. **THE SCHOOL BOARD OF MIAMI-DADE COUNTY** -- (CONTINUANCE) Request for a variance from the requirements of Section 24-20 of the Code of Miami-Dade County, Florida. The request is to allow the continued operation of a gasoline dispensing facility without the installation of the required Stage II Vapor Recovery System. The property is located at 12525 N. W. 28th Avenue, Miami-Dade County, Florida.
16. **TWO ISLANDS DEVELOPMENT CORP.** -- (CONTINUANCE) Appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director, said determination being the issuance of a certain Notice of Violation and Orders to Cease and Desist, concerning unauthorized work in, on, over or upon tidal waters of Miami-Dade County, in violation of Section 24-58 of the Code Of Miami-dade County, Florida, on a property located at S.W. 3901 Island Estates Dr., Aventura, Florida.

17. **BLUE PALMS DEVELOPMENT, LLC** -- (CONTINUANCE) Request for a variance from the requirements of Section 24-58 of the Code of Miami-Dade County, Florida. Said Code Section requires in pertinent part that any dredging or filling work proposed in a Class I Permit application shall comply with at least one of six specific criteria contained therein. The project being proposed for the subject property would consist of a filling approximately 0.165 acres of coastal wetlands for a residential development. The project is not consistent with any of the aforesaid criteria; consequently, DERM staff would not process the application for the required Class I Permit to fill the wetlands until the applicant obtains a variance from this Code Section. The property is located at 16375 Biscayne Boulevard, North Miami Beach, Florida.
18. **CARMEL INVESTMENT AND DEVELOPMENT, INC.** -- Request for an extension of time to comply with the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow the construction and operation of a commercial development that would be served by public water and an interim septic tank. The property is located at 18410 S. W. 260th Street, Miami-Dade County, Florida. The proposed land use would generate, dispose of, discharge or store liquid waste other than domestic sewage. The subject property is located at 14801 Bethune Dr., Miami-Dade County, Florida.
19. **JOAN P. SEIPP** -- Request for variances from the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow the subdivision of a dually zoned parcel of land into two parcels. One of the proposed parcels would be the portion of the property that zoned BU-1 (Neighborhood Business). The second parcel would be the portion zoned Agricultural. The commercial parcel will be served by public water and by public sanitary sewers; however, neither public water nor public sanitary sewers would serve the proposed parcel zoned Agricultural. The subject property is located at 24101 S. Dixie Highway, Miami-Dade County, Florida.
20. **PENNY'S INVESTMENT CORP.** -- Request for a variance from the requirements of Section 24-58 of the Code of Miami-Dade County, Florida. The request is to allow that a certain tree island located within the subject property not be preserved. The property is located in the Bird Drive Everglades Wetlands Basin, which is a jurisdictional wetland area according to the Code, and contains tree island resources. Pursuant to the above noted Code Section, all tree islands located within the Bird Drive Everglades Wetlands Basin shall be preserved in accordance with the Special Area Management Plan, incorporated by reference into Section 24-58 of the Code. The property is located at the intersection of S. W. 167th Avenue and S. W. 44th Street, Miami-Dade County, Florida.
21. **JOHN WESLEY MINISTRIES, INC.** -- Request for variances from the requirements of Sections 24-13(4) and 24-13(6) of the Code of Miami-Dade County, Florida. The request is to allow the construction of a church that would be served by public water and a septic tank. The property is within feasible distance for connection to the public sanitary sewer system, as defined in the Code. The property is located at 2301 N. W. 79th Street, Miami-Dade County, Florida.

OTHER MATTERS:

Other items at the discretion of the Environmental Quality Control Board. For additional information, please call Luisa Bilbao at (305) 372-6754.